

MEDIA RELEASE

**Attention: News Director
For Immediate Release
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**U.S. DEPARTMENT OF JUSTICE
DAVID L. HUBER
UNITED STATES ATTORNEY
Western District of Kentucky**

**Contact: Sandy Focken
(502) 582-5911**

**REPEAT SEX OFFENDER PLEADS GUILTY TO
RECEIVING AND POSSESSING CHILD PORNOGRAPHY**

David L. Huber, United States Attorney for the Western District of Kentucky, announced today that on November 28, 2006, **WENDELL EUGENE NEWKIRK, JR.**, age 41, of 10803 Holsclaw Hill Road, Louisville, Jefferson County, Kentucky, **pled guilty** to receiving and possessing hundreds of images child pornography.

Newkirk faces a minimum of 15 years' imprisonment. He also faces maximum potential penalties of 60 years' imprisonment, a \$500,000.00 fine, and a term of supervised release which could include life. **There is no parole in the federal judicial system.**

According to the Plea Agreement filed in the case, as well as **Newkirk's** admissions in open court, in or about October 2005, agents with Department of Homeland Security Immigration & Customs Enforcement ("ICE"), located a website known as the "Illegal CP" website. The banner page of the website -- that is, the page which initially appeared and which did not require the person accessing the website to provide any financial or personal information - labeled itself "illegal.CP." The banner page further proclaimed that "[n]ow you are in [sic] few minutes away from the best children porn site on the net!" The banner page further stated that "[i]f you join this site you will get

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tons of uncensored forbidden pics (over 5 at this moment), forbidden stories, and, of course, many videos." The banner page also featured purported feedback from a self-described pedophile who praised the website.

A search of the server on which the contents of the "Illegal CP" website were maintained was performed on or about November 17, 2005, pursuant to a court-authorized search warrant. A review of the contents of the server revealed the presence of thousands of images and videos of child pornography, as well as the IP addresses for all contacts with the content maintained on the server that had occurred from on or about November 9, 2005, through on or about November 17, 2005. Specifically, this data revealed that hundreds of IP addresses had visited the "Illegal CP" website during this nine-day period.

Through additional investigation, law enforcement officials identified **Newkirk** as one of the subscribers to "Illegal CP." The investigation showed that **Newkirk** had accessed child pornography from the website at least five times between November 11-16, 2005. Some of the images he accessed included the following:

- a. A video, which was accessed on November 12, 2005, at approximately 11:39 p.m., depicting a prepubescent girl (approximately 6 - 9 years of age) standing over an adult male with her right leg held above his chest. The adult male's penis is seen penetrating the prepubescent girl's vagina.
- b. A video, which was accessed on November 12, 2005, at approximately 11:45 p.m., depicting a prepubescent female (approximately 6 - 10 years of age) laying on her stomach and being whipped with a cane on her buttocks and genitalia by an adult male.

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- c. A video, which was accessed on November 13, 2005, at approximately 12:19 a.m., depicting an adult male penetrating a prepubescent child's anus.

ICE agents applied for and received a federal search warrant for **Newkirk's** residence in Jefferson County, Kentucky, and any computers located therein. The agents executed the search warrant and seized two computers, one laptop computer, one Polaroid camera, numerous printouts of child pornography, printouts of stories relating to pedophilia and incest, minor girls' underwear, some Polaroid photos of minor children, and numerous computer storage media. After being advised of his constitutional rights, **Newkirk** admitted to paying \$79 to join the "Illegal CP" website and to printing out numerous pictures obtained from the website. **Newkirk** stated that he had been arrested and convicted of rape and sodomy of a relative who was a minor. He added that he was a pedophile and that he "gets off" and is sexually stimulated by child pornography. Agents verified that on September 16, 1997, **Newkirk** was convicted of third-degree sodomy and third-degree rape, based on offense conduct occurring on or about November 14, 1992.

A forensic examination of the computers seized from **Newkirk's** residence revealed the presence of numerous images of child pornography, that is, children engaging in sexually explicit conduct. The examiner recovered approximately 955 still images and 75 video files from **Newkirk's** computers.

The case is being prosecuted by Assistant United States Attorneys Jo E. Lawless and Madison T. Sewell. It was investigated by Department of Homeland Security Immigration & Customs Enforcement.

This case was brought as part of Project Safe Childhood. In February 2006, Attorney General Alberto R. Gonzales created Project Safe Childhood, a nationwide initiative designed to protect

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children from online exploitation and abuse. Led by the United States Attorneys Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend, and prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov/.

Newkirk is scheduled to appear for sentencing before Chief United States District Judge John G. Heyburn, II, on March 1, 2007, at 11:30 a.m., in Louisville, Kentucky.

- **END** -

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